

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The Examiner has objected to the abstract. Enclosed is an amended abstract.

The Examiner has rejected claims 1 and 3-8 under 35 U.S.C. § 102(b) as being anticipated by German Patent DE 44 16 504 to *Erras et al* hereinafter "*Erras*".

The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over *Erras* in view of applicant admitted prior art. Claims 9-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Erras* in view of Japanese Patent JP 05192774 to *Nishimura*.

The applicant respectfully traverses the above rejections and claims 1, 19, and 21 have been amended as well. It is respectfully submitted that the present invention as claimed in claim 1 and in new independent claims 19 and 21 is patentable over the above cited patent to *Erras*.

For example, *Erras* does not disclose a guiding groove as claimed in claim 1, 19 or in claim 21, particularly a guiding groove in the form of a recess on a tong arm.

Erras does disclose a recess 7, however, this recess is disposed in the electrode cap, and not in the tong arms.

In addition, as claimed in claim 1, the winding means including the wind up roller and the wind off roller are disposed either on the base body or on the tong arm. This feature is not disclosed in *Erras* or the other cited art either.

In *Erras* the rollers 9a and 9b are fixed, however these rollers are not fixed either to the tong arms or to the base body. Therefore, for this additional reason it is respectfully submitted that claim 1 is patentable over the above identified rejection.

In addition, independent claims 19 and 21 have also been amended. For example independent claim 19 the groove in the form of a recess is on the tong arm and the electrode holder while in claim 21 the groove in the form of a recess is on the electrode holder and the tong arm as well. Accordingly claim 20 has been canceled.

As stated above, this feature is not shown in *Erras*. One reason that there is no need for a recess or groove along the tong arm or the electrode holder is that the wind up roller and the wind off roller are not coupled to the base body or tong arm. For example, with the rollers 9a and 9b of *Erras* being spaced apart from each other, and apart from the electrode holder, there is no need to form a recess on the tong arm or recess holder for guidance. However, because these rollers are not coupled to the welding device, such as to the base body, these rollers require some form

of additional coupling such as to a wall. This then results in a more complicated device than the present invention. In addition, none of the other cited art disclose this feature as well.

In addition, claims 19 and 21 have been written to state that in contrast to the above cited reference to DE4416504, the present invention has a wind-off roller, and a wind-up roller, or more particularly, the winding mechanism is arranged on and coupled to the base body of the spot welding tong. This feature is also not shown in the above cited patent DE4416504 or the other cited art. Particularly, DE19754546 and the applicant's discussion on page 1, paragraph 3 of the specification, does not disclose a roller or pulley arranged on the electrode shaft which is part of the tong arm. For example in FIG. 1 of DE19754546, the rollers 7 and 8 do not disclose a roller or pulley disposed on the electrode shaft. Therefore, for this additional reason, early allowance of claims 19 and 21 is respectfully requested.

Claims 2-10 depend from claim 1. Since claim 1 is considered to be allowable, it is respectfully submitted that these claims are allowable as well. Therefore, it is respectfully submitted that claims 1-10, 19 and 21 are allowable.

New claims 22, 23, and 24 have been added. These new claims 22, 23, and 24 all claim a pressure element and a spacer. Both the pressure element and the spacer of claims 22, 23, and 24 are supported in the specification, particularly on page 6 lines 7-24 and also shown in the drawings, particularly FIGS. 1 and 11. More particularly the pressure element which is arranged in the region of the electrode cap of the electrode and the feature that the spacer is coupled to the

pressure element is also shown by FIG. 1.

It is respectfully submitted that none of the above identified patents disclose the features of new claims 22-24. Therefore, it is respectfully submitted that these claims are patentable as well.

New claims 22-24 are being added, however claims 11-18 have been previously canceled. Therefore, it is believed that no additional fee is due. However, if a fee is due, the commissioner is hereby authorized to charge Collard & Roe, P.C.'s deposit account 03-2468 in the amount necessary for any fee or to credit the above deposit account for any overpayment.

In conclusion, all of the above rejections have been traversed. Claims 1, 19, and 21 have been amended, claims 11-18, and 20 have been canceled and new claims 22-24 have been added. Claims 1-10, 19, 21-24 remain in the application. No new matter has been added.

Therefore early allowance of the remaining claims is respectfully requested.

Respectfully submitted,

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Enclosure(s): Abstract

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